

EXHIBIT C

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
1:16-cv-01038

ARIANA QAYUMI,)	
)	
Plaintiff,)	
)	Declaration of Greg Stotsenberg
v.)	
)	
DUKE UNIVERSITY,)	
)	
Defendant.)	

Greg Stotsenberg, pursuant to the provisions of 28 U.S.C. § 1746, declares as follows:

1. My name is Greg Stotsenberg. I am over twenty-one years of age and competent to testify in all other respects. I have personal knowledge of the matters set forth below. If called upon to testify about these facts, I could and would do so.

2. Since Feb 1, 1999, I have been employed in the Duke University Police Department and have progressed to the rank of Captain over the Criminal Investigations unit. I have been in charge of investigations since 2009.

3. On the night of April 21, 2011, I received a call from Major Sara-Jane Raines regarding two incidents of possible sexual misconduct involving multiple male Duke students and unknown women. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] It took investigators a while to weed out those who had only heard about the two incidents and try to find out names of potential victims, suspects, and first-hand witnesses. I did not learn of any other incidents in the course of my investigation.

4. I began investigating those incidents immediately upon receiving the call from Major Raines. My report of a portion of my investigation on April 21-22, 2011, is attached as Exhibit 1 to this Declaration. It was the regular practice of members of the Duke University Police Department to prepare such reports as part of our official duties and this report was kept in the course of the regularly conducted investigation.

5. On April 21, 2011 at 11:25 pm, I met with Krystal Clark, the Duke employee who submitted the report about the alleged incidents. During that meeting, Ms. Clark provided the name of the Duke student who told her about these incidents, but I also learned that the story was not based on this student's firsthand knowledge. On April 22, 2011 at 12:10 am, I met on Duke's campus with the student who made the report to Ms. Clark. During that meeting, I obtained additional details about what the student had heard and obtained names of two possible witnesses for Incident 1. I called both of these possible witnesses that same night. I reached one of them, who reported that she had only heard rumors, but provided names of additional possible witnesses.

6. Later in the early morning hours of April 22, 2011, I returned to Duke Police Headquarters to continue my investigation and search for possible witnesses.

7. On April 22, 2011, I met with David Dyson to continue the investigation.

[REDACTED]

[REDACTED] I contacted Sheila Broderick at the Duke University Women's Resource Center to inquire whether her department had been approached by any possible victims of an alleged assault that occurred at Duke University on or around April 9, 2011. Ms. Broderick was aware of the reported incident, but had not been contacted by any possible victims from this incident. Ms. Broderick also agreed to contact the Women's centers at UNC-Chapel Hill and University of Virginia to ask if anyone had reported being victimized at Duke on or around April 9, 2011. Ms. Broderick later called me back to report that her contacts had received no such report.

8. On April 22, 2011 at 12:50 pm, I accompanied David Dyson to the room of a female student who lived in the Southgate dormitory and whose name had been provided as a possible witness. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9. On April 22, 2011 at 3:30 pm, I met with a male student who had reportedly witnessed a portion of the sexual encounter of Incident 1 on April 9, 2011.

[REDACTED]

10. On April 22, 2011 at 4:00 pm, I met with another male student whose name had been provided as a potential witness of Incident 1. [REDACTED]

[REDACTED]

11. At this point in the investigation of both Incident 1 and Incident 2, [REDACTED]

[REDACTED]

12. I ultimately decided to close the investigation involving Incident 1 because

[REDACTED]

[REDACTED] and no complaining victim could be identified or located.

13. On April 27, 2011, Investigator Dyson and I spoke with [REDACTED]

[REDACTED] about both reported incidents — the April 9 incident

(Incident 1) and the incident reportedly involving a cell phone video (Incident 2).

14. During the meeting with [REDACTED] on April 27, 2011, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15. David Dyson and I then met with Ariana Qayumi on April 27, 2011.

During that meeting, Ms. Qayumi told me that [REDACTED]

[REDACTED]

[REDACTED]. I explained to her that if she thought she was a victim of sexual assault or sexual

misconduct, then Duke had resources available, including a full criminal investigation, a Title IX investigation, no-contact orders, disciplinary action against the involved students through the Office of Student Conduct, and counseling and advising through the Women's Resource Center. [REDACTED]

[REDACTED]
[REDACTED] We gave her our business cards with our contact information and [REDACTED]
[REDACTED]

16. On that same day, April 27, 2011, [REDACTED]
[REDACTED]. We next met with William McFayden of Durham Police Forensics. Mr. McFayden recovered a copy of a video file made on March 6, 2011, at 5:08 am, which lasts for 18 seconds. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] A copy of that video is attached to this Declaration as Exhibit 3.

17. Ms. Qayumi and her mother had contacted investigators several times to inquire about the investigation. Every time, investigators told the Qayumis that an investigation was closed per her desire, and that it could be re-opened. It was explained that she would need to meet with us and sit down for a full interview.

18. The policy and practice of the Duke University Police Department in cases of reported sexual assault is that DUPD does not press the complainant to make reports or pursue charges. It is the policy of DUPD to allow complainants this control, since pressing a complainant to proceed when she or he is not ready can re-victimize the complainant. Consistent with this DUPD policy, as well as national standardized training and our accreditation standards, I tell complainants in cases of reported sexual assault that every part of the process is driven by them. The principle behind this policy is to empower the complainant.

19. On March 20, 2013, Ms. Qayumi had decided to set up an interview to begin an investigation. I interviewed Ariana Qayumi at Duke's Women's Center.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] During this interview, I showed Ms. Qayumi the video that is attached to this Declaration as Exhibit 3. [REDACTED]

[REDACTED] The criminal investigation was reviewed with the Durham District Attorney and was declined

prosecution. Upon Ms. Qayumi's, request she was referred to the Office of Student Conduct to initiate their process for the case.

20. On March 29, 2013, I provided my notes of my March 20 interview to Stephen Bryan. Both my email to Stephen Bryan and my notes of the March 20, 2013, interview are included within what has been identified to me as the Undergraduate Conduct Board's Hearing Packet on pages 8 through 11 of that packet.

21. On July 12, 2013, I testified during the student conduct hearing arising out of Ms. Qayumi's allegations. While I was at the hearing, the video that is attached to this Declaration as Exhibit 3 was played.

22. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

23. Throughout my employment at Duke University, it has been my practice to create reports of any interactions that I have in the course of an investigation.

24. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 30, 2017

greg stotsenberg
Greg Stotsenberg